

AMOS W. BROWN.

MARCH 24, 1836.

Read, and laid upon the table.

- Mr. E. WHITTLESEY, from the Committee of Claims, made the following

REPORT :

The Committee of Claims, to which was referred the petition of Amos W. Brown, report :

That the petitioner states he was born in the United States, and moved to Upper Canada; on the declaration of war returned to the United States and volunteered his services, and received a commission in the army of the United States as lieutenant; was appointed adjutant in April, 1814, and discharged said duties more than six months. He says he never availed himself of the provisions of the act of March 5, 1816, and of the amendments thereto, passed March 3, 1817, till since the expiration of those acts. An act passed on the 30th of June, 1834, granting him bounty land as a Canadian volunteer, but he says, through inadvertence, as he conceives, it omitted to give him the additional pay mentioned in said act of March, 1816.

The title of the act last referred to, is "An act granting bounties in land and extra pay to certain Canadian volunteers." Those entitled to the benefits of the act, were those embraced by the following description, to wit:

"That all such persons as had been citizens of the United States anterior to the late war, and were at its commencement inhabitants of the province of Canada, and who during said war joined the armies of the United States as volunteers, and were slain, died in service, or continued therein till honorably discharged, shall be entitled to the following quantities of land respectively, to wit," &c.

The third section of the act is as follows :

SECTION 3. *And be it further enacted,* That the treasurer of the United States be, and he is hereby, authorized and required to pay to each of the persons aforesaid, three months' additional pay, according to the rank they respectively held in the army of the United States during the late war."

By virtue of this provision he claims three months' pay as a Canadian volunteer.

The papers were sent to the Third Auditor for information. His answer, dated the 18th March, is received and made a part of this report.

It appears the petitioner was not a Canadian volunteer, but a commissioned lieutenant in the 31st regiment of infantry; that on settlement of his accounts, in March, 1821, he was paid in full, together with three months' gratuitous pay as a disbanded officer.

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There is now charged on the books of the Treasury Department against him the sum of \$84 65. How his debit arose does not appear; but the fact is stated by the Third Auditor.

As the act of March 5, 1816, only embraced Canadian volunteers, and was not designed to include those in the regular service of the United States, the petitioner was no more entitled to the bounty land than any other officer who served during the war.

The Committee on Private Land Claims, apprehending the petitioner served as a Canadian volunteer, reported a bill for his relief on the 23d of December, 1833, which became a law on the 30th of June, 1834, by which was granted to him three hundred and twenty acres of land, to be located in legal subdivisions on any of the public lands of the United States, which have been offered at public sale, and subject to private entry. The committee think the petitioner will not hereafter present any further claim against the United States, growing out of his services during the late war.

TREASURY DEPARTMENT, THIRD AUDITOR'S OFFICE,
March 18, 1836.

SIR: I have the honor to acknowledge the receipt of your letter of the 15th inst. enclosing the petition and papers of Amos W. Brown, late a lieutenant of the 31st regiment of infantry, praying to be allowed three months' extra pay as a Canadian volunteer, and asking, in behalf of the Committee of Claims, whether said Brown served as a lieutenant during the late war, as mentioned in his petition, and if he did, whether he received his full pay and allowance, &c. In reply I have to inform you, that upon examination it appears that Amos W. Brown was appointed a lieutenant of the 31st regiment of infantry the 30th of April, 1813, and was disbanded the 15th of June, 1815, a part of which time he served as lieutenant and adjutant. His pay and emoluments as such, up to the 31st of December, 1814, he received of Simeon Stevens, Jr. paymaster to the 31st infantry; and, on the settlement of his accounts in this office in March, 1821, he was allowed his pay and subsistence from the 31st of December, 1814, to the 15th of June, 1815, together with three months' gratuitous pay as a disbanded officer, agreeably to law, leaving a balance of \$84 65 due the United States, which sum is now standing to his debit on the books of this office.

His services during the late war do not come within the provisions of the act alluded to by him, viz: the 5th of March, 1816, granting bounties in land and extra pay to certain Canadian volunteers; he not having served as such, but as a regularly commissioned officer of the 31st regiment U. S. infantry, and disbanded as such in June, 1815, up to which time he has been allowed, as before stated, his pay and subsistence, together with the gratuitous allowance in such cases. The petition and papers are herewith returned.

Very respectfully,

Your obedient servant,

PETER HAGNER, Auditor.

The Hon. E. WHITTLESEY,

Chairman Committee of Claims, H. R.